IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10030 of 2005

Between:

The District Exhibition Society, rep. by its President Y. Somasekhara Reddy S/o Narayana Reddy, Hindu, aged 38 years, r/o D.No. 3/68, and Road, Ananthapur.

..... PETITIONER

AND

1 The College Planning Development Council, Government Arts College, rep. by its Principal-cum-President,New Town, Ananthapur.
2 M.S. Mayuri Agricultural Industrial Commercial Exhibition Society, rep. by its President Sri K. Fakruddin
S/o S. Mohammed, aged 46 years, Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ declaring the action of the 1st respondent in allowing the 2nd respondent to organise the exhibition in the college ground premises in the summer vacation 2004-05 without following any procedure like inviting applications by giving paper publication as illegal, arbitrary, irrational and in violation of Art. 14 of the Constitution of India and consequentially direct the 1st respondent to follow the procedure like inviting applications from the interested persons for utilisation of the college ground for conducting the exhibition in the summer vacation 2004-2005 and pass such other or further order as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.D.GOWD

Counsel for the Respondents: MR.P.VEERA REDDY

The Court made the following :

O R D E R:

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This Writ Petition is filed by the petitioner questioning the grant of permission to the 2nd respondent for conducting exhibitions in the premises of the 1st respondent-College.

2. According to the petitioner, though a publication was issued inviting the applications for taking the College ground on lease during the summer vacation, surprisingly for the reasons best known to the 1st respondent, the 1st respondent allowed the 2nd respondent to organize the exhibition without calling for applications. The said action is illegal and therefore, sought to quash the same.

3. The learned counsel for the petitioner contended that the petitioner has made its application on 24.3.2005 for the grant of permission for utilization of the College ground for organizing the exhibition. But, however, the 1st respondent in collusion with the 2nd respondent, granted permission in favour of the 2nd respondent. At the time of hearing, it is also represented by the learned counsel for the petitioner that the 1st respondent is proposing to extend the lease even beyond 30th June 2005, even though the College has already reopened and the classes are being conducted in the college premises.

4. Heard both sides and considered the material on record.

5. As the premises has already been leased out in favour of the 2nd respondent during the summer vacation, the petitioner is not entitled to any relief at this stage. But, however, as the Colleges have already been re-opened in the 2nd week of June 2005 itself, it is not proper and just to allow the 2nd respondent or any other private individual to continue the exhibitions in the College premises.

6. Accordingly, the Writ Petition is disposed of directing the 1st respondent not to extend the permission or lease or license in favour of the 2nd respondent or any other party beyond 30th June 2005. If the 2nd respondent or any other private

individual are in occupation of the premises in question, the 1st respondent is directed to see that they shall vacate the same immediately; failing which the District Educational Officer is directed to take appropriate action against the 1st respondent.

7. The Writ Petition is accordingly disposed of. No costs.

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S. Ananda Reddy, J.

Dt. 30..06..2005

Note: Mark copy to

The D.E.O. Ananthapur.

(bo) Kvh

To

1. The College Planning Development Council, Government Arts College, rep. by its Principal-cum-President,New Town, Ananthapur

2) 2 CD copies

3) 1 CC to MR.GOWD